

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GINO FRANCIESCO ACCETTOLA,

Defendant.

Case: 2:21-cr-20529

Judge: Michelson, Laurie J.

MJ: Stafford, Elizabeth A.

Filed: 08-17-2021 At 12:54 PM

INDI USA VS. ACCETTOLA (DP)

VIO: 18 U.S.C. § 1343

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. GINO FRANCIESCO ACCETTOLA was a resident of Macomb County, Michigan. ACCETTOLA was affiliated with numerous companies, including Bear Lake Contracting, 1ST Choice Realty, First Choice Construction LLC, Premier Tanning, Bently Construction Company, and ZT Contracting.
2. Company A was a manufacturing facility located in the Eastern District of Michigan.
3. D.M. was a resident of the Eastern District of Michigan. D.M. was affiliated with Company A.

4. F.L. was a resident of Eastern District of Michigan. F.L. was employed by Company A.

COUNT 1
Wire Fraud
18 U.S.C. § 1343

SCHEME TO DEFRAUD

5. Beginning in approximately 2014 and continuing through approximately August 2016, in the Eastern District of Michigan and elsewhere, GINO FRANCIESCO ACCETTOLA knowingly executed and attempted to execute a scheme to defraud investors and to obtain money by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

6. From 2014 to November 2016, ACCETTOLA solicited investments from individuals in the Eastern District of Michigan. ACCETTOLA offered potential investors abnormally high short-term returns.

7. ACCETTOLA told investors that the money they invested with him or loaned to him was in support of various commercial construction projects in Michigan and Florida. Many of the commercial construction projects that ACCETTOLA described to investors did not exist.

8. Specifically, ACCETTOLA solicited investments in support of purported work with Company A. ACCETTOLA told investors that D.M. was the managing

partner of Company A, the source of investment contracts, and personal friends with ACCETTOLA.

9. In truth and in fact, Company A had no connection to ACCETTOLA. Company A did not have any contracts or business dealings with ACCETTOLA from 2014 to 2016. D.M. did not know, and was not friends with, ACCETTOLA.

10. From 2014 to on or about at least August 21, 2016, ACCETTOLA provided investors with emails, contracts, payout schedules, and other information purportedly from Company A and D.M. The documents that ACCETTOLA provided to investors purporting to be from Company A, its employees, and D.M. were fraudulent.

11. ACCETTOLA created three Yahoo email accounts using D.M.'s name and Company A's name. ACCETTOLA used these email accounts to write messages that appeared to be from D.M. or another Company A employee to ACCETTOLA about projects with ACCETTOLA. ACCETTOLA then forwarded these emails to investors. ACCETTOLA also pretended to be D.M. by communicating directly with an investor using one of the fraudulent email accounts that he created.

12. Between 2014 and November 2016, ACCETTOLA defrauded investors of approximately \$4,000,000.

13. From 2014 to on or about November 2016, in the Eastern District of Michigan and elsewhere, GINO FRANCIESCO ACCETTOLA, for the purpose of executing

the scheme set forth above, did knowingly cause the interstate wire transmission of writings, signs, signals, and pictures, all in violation of 18 U.S.C. § 1343.

COUNT TWO

Aggravated Identity Theft

18 U.S.C. § 1028A(a)(1)

14. Between 2014 and August 21, 2016, in the Eastern District of Michigan and elsewhere, the defendant, GINO FRANCIESCO ACCETTOLA, did knowingly transfer and use, without lawful authority, a means of identification of another person, to wit: D.M., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: wire fraud in violation of 18 U.S.C. § 1343, knowing that the means of identification belonged to another actual person, in violation of 18 U.S.C. § 1028A(a)(1).

COUNT THREE

Aggravated Identity Theft

18 U.S.C. § 1028A(a)(1)

15. Between 2014 and August 21, 2016, in the Eastern District of Michigan and elsewhere, the defendant, GINO FRANCIESCO ACCETTOLA, did knowingly transfer and use, without lawful authority, a means of identification of another person, to wit: F.L., during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit: wire fraud in violation of 18 U.S.C. § 1343, knowing that the means of identification belonged to another actual person, in violation of 18 U.S.C. § 1028A(a)(1).

FORFEITURE ALLEGATIONS
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)
Criminal Forfeiture

The allegations contained in Counts One through Three of this Indictment are realleged and incorporated by reference to allege forfeiture under Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

Upon conviction of an offense in violation of Title 18, United States Code, Section 1343, set forth in Count One, the convicted defendant shall forfeit to the United States of America, under Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

The forfeiture in this case may also include entry of a forfeiture money judgment in an amount up to the value of the criminal proceeds personally obtained by each defendant for the violations of conviction and any violations that are part of the same fraudulent scheme.

If, by any act or omission of the defendant, the proceeds of the offense(s) cannot be located upon the exercise of due diligence, have been transferred, sold to, or deposited with a third party, have been placed beyond the jurisdiction of the court, have been substantially diminished in value, or have been commingled with other property which cannot be divided without difficulty, the United States of America shall seek to forfeit substitute property under Title 21, United States Code, Section

853(p), as incorporated by Title 28, United States Code, Section 2461(c).

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

SAIMA S. MOHSIN
Acting United States Attorney

John K. Neal
Assistant United States Attorney
Chief, White Collar Crime Unit

s/ Sara D. Woodward
SARA D. WOODWARD
Assistant United States Attorney
211 West Fort Street, Ste. 2001
Detroit, MI 48226-3220
sara.woodward@usdoj.gov

Dated: August 17, 2021

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number
--	----------------------------------	-------------

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <u>SDW</u>

Case Title: USA v. GINO FRANCIESCO ACCETTOLA

County where offense occurred : Macomb County

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

☒ Indictment/ ☐ Information --- no prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: _____]
☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

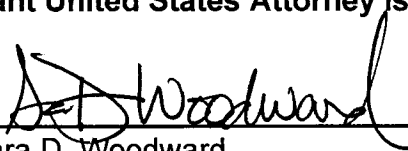
Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
-----------------------	----------------	--

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

August 17, 2021
Date


 Sara D. Woodward
 Assistant United States Attorney
 211 W. Fort Street, Suite 2001
 Detroit, MI 48226-3277
 Phone: 313-226-9180
 Fax: 313-226-2873
 E-Mail address: Sara.Woodward@usdoj.gov
 Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.